

MIAMI COUNTY COMMISSIONERS
25 N. BROADWAY
PERU, IN 46970
MINUTES
07-11-11

Commissioner Boyer opened the meeting.

SEE CAFO

A group of homeowners came before the Board of Commissioners regarding the See CAFO. Mrs. Carol Cohee was the spokesperson for the group.

*Mrs. Cohee stated that they were initially told to come to the Board of Commissioners meeting today, July 11th, instead of last week (they found out there was a meeting last week at the last minute). If they had waited until today they would have been too late to file for an appeal or to hire an attorney.

*Asked the Board about the County Ordinance requirement that a 6 foot mesh fence surround the hog farms. She wanted to know how the Board could approve the permit when they didn't meet this requirement. Her and her husband drove around the county looking at hog farms and stated none of them met that requirement. Chairman Boyer stated that the fence requirement was from the beginning when unloading and loading the hogs was done differently. Mrs. Cohee stated that she felt they should be made to have the fence. She also asked if there was a list of hog farms in the County that stated the locations. She feels that there is a saturation of hog farms in Miami County. Commissioner Faust said that they locate here because it is a strong agricultural area with lots of corn and close locations to kill floors. Commissioner Francis stated that you can't make a living off of 50 – 100 hogs anymore; you need a large amount of hogs. The Board is not aware a list of hog farms unless the Planning and Zoning Office has one.

*Mrs. Cohee again went over the damage that will be done by the trucks hauling manure and other heavy equipment. She mentioned that with the budget concerns everyone is facing that there will not be money to repair the damage. She also stated that she spoke with a realtor who told her that they could not show a home located near a hog farm so actually her home has 0 value.

*Mrs. Cohee also told the Board that the IDEM inquired as to why they waited until the permit was issued to object. She said that the group was told by the secretary in the Planning office to wait for letter from the County giving them information on the hog farm and when they would be able to attend a hearing. The letter never came and that is why they didn't address it until after everything was approved.

* Commissioner Faust said he understands what they are saying but he lived next to one for 20 years and unless the CAFO is breaking the law, they will just have to get used to it.

COUNTY ATTORNEY

Pat Roberts, Attorney for the Board of Commissioners asked Mrs. Cohee exactly what the group wanted from the Board of Commissioners. He heard what she was saying about the fence but what did they want from the Board. Mr. Sherman stated they did not want the hog farm to go in and there are health issues to consider as well. Mr. Roberts said that Health issues needed to be directed to the Health Department. Health issues could also be considered under the public nuisance. However they would need documentation. They are concerned because only 25% of them spray the manure correctly.

*Can the BOC stop the saturation of these farms? IDEM is in charge of the dimensions.

*What about the wetlands? The DNR is in charge of the wetlands. Commissioner Francis suggested speaking with Rick Duff at the DNR.

*Mr. Sherman asked if IDEM doesn't care enough to check any of these things, then the Commissioners don't care either? It is IDEM's job to monitor these and issue the permits.

*Can the BOC change their ordinance? Chairman Boyer stated they are going to review the ordinance and consider the possibility of adding that a person would need to post a bond in case of damage to the road. If they did this addendum it would not help them with their situation.

*Could the BOC create an ordinance to prevent the saturation of this area with hog farms? If they meet the requirements of IDEM the BOC is not sure they have the right to step in. IDEM keeps a pretty close watch on these things.

Commissioner Boyer said he understood what they are going through and the only time he has seen a stop put to one is when there was a an old gas well on the property. They could check with the DNR to see if that applied to this property. Commissioner Boyer also stated that the right to farm act has the Board in a catch 22 and this group will need to do what they feel they need to do.

GALLAGHER BENEFIT SERVICES

Jay Harvey, Vice President, gave the Board a folder of information regarding the services his company could provide for the County. It is a voluntary insurance program. The Board explained that we have an insurance committee and they would pass the information on to the committee.

BUNKERHILL DRAGSTRIP

Steve Daniels, Owner, explained to the Board about water problems he was having at the track. The heavy rain has caused water to cover the staging lanes and has caused some other problems. He believes that some ditching will take care of the problem. He has had Sam Waltz look at the situation and has spoken with one of the Highway Foreman. Mr. Waltz will take another look at it and see if something can be done.

Mr. Daniels stated that Mr. Waltz does a tremendous job. On Saturday night Mr. Waltz was out removing tree limbs instead of calling out a crew to do it.

HIGHWAY

Mr. Roberts asked Sam Waltz about repairs to Airport Road. Mr. Waltz said it would have been better to have used Logansport Road as a detour but the decision was made to use Airport Road. We need to wait until the final walk though for the project to see what needs to be done.

RICKERT-WISSNER CEMETERY

Fred Blue came in to ask the Commissioners about activity going on at the location believed to be that cemetery. The home that sat there burned down and the Cemetery Board is doing some cleanup but there is digging going on as well which concerned him. Mr. Blue said that the DNR is supposed to be researching to get the exact location of the cemetery. Commissioner Francis said he was not aware of any investigation going on. Darrell Wooten, Planning and Zoning, said that the fire remains had been cleaned up but he was not aware of any digging being done on the property. He will go out and take a look. Mr. Blue said that the DNR found some new documentation on the property and Mr. Wooten said he has spoken to them and they did find 4 deeds but none of them made a difference to the information they currently have.

PLANNIN AND ZONING

Mr. Wooten said that the landowner for the See CAFO had a survey done to prove that they were in compliance with 1000 feet. The survey showed they were indeed in compliance.

PAYROLL

Commissioner Francis made a motion to approve. Commissioner Faust 2nd the motion and it passed 3-0.

MINUTES

Commissioner Faust made a motion to approve and Commissioner Francis 2nd the motion. Motion passed 3-0.

ELEVATOR PERMITS

The Auditor checked on the elevator permits which showed expired. Homeland Security said the permit for the Annex had been mailed out but the one for the Courthouse was never processed. The permit for the old jail was on hold because of an inspection that is due. The Auditor requested a replacement be sent for the Annex and the permit for the Courthouse to be processed and mailed and had already received the one for the Annex. Homeland Security will process the one for the Courthouse and send ASAP. The Auditor explained the elevator for the old jail was in need of a state mandated inspection which would cost \$900, which is what it cost us 5 years ago. Commissioner Francis made a motion to have the inspection done and Commissioner Faust 2nd the motion. Motion passed 3-0.

ASSESSOR

Sara McAuliffe came before the Board to ask permission to process the check for postage out of Sales Disclosure fund as she needs to get things in the mail. Commissioner Faust made a motion to allow. Commissioner Francis 2nd the motion and it passed 3-0.

VOTER REGISTRATION

The Board will be working with Voter Registration on the new re-districting but is not currently considering Vote Centers. Due to the cost of electronic books and internet access, Mr. Powell said to save money we would have to combine large areas.

IT

John Powell informed the Board that they have a ton of computers that he would like to offer to County employees for a small fee. They are clean of all County information. The Auditor also asked about the paypal account. The IT department would like to order supplies out of the money they bring in from selling items on e-bay. The cleaner way of doing that would be for the Commissioner to create a line in their budget for tracking purposes and put the money collected from e-bay put into County General. It was agreed to have that as the process.

Susan Rice asked the Board for permission to allow the 7 probation officers access to facebook for work purposes only (Tracking will be done). Anyone caught using it for personal use would loose rights. Commissioner Francis made a motion to allow. Commissioner Faust 2nd the motion and it passed 3-0.

SHERIFF

Sheriff Tim Miller asked for permission to look into the cell phone contract. He believes we should be able to get a better deal for all phones he uses in his department.

The Auditor appreciates the diligence put forth by the Sheriff in reducing cost.

9-1-1

Cliff Gardner stated that AT&T has completed the work they were doing. Commissioner Francis made a motion to the Chairman sign off on the paperwork. Commissioner Faust 2nd the motion and it passed 3-0.

NICKLE PLATE TRAIL ORDINANCE

Pat Roberts will bring the draft ordinance for the Trail next week.

Commissioner Francis made a motion to adjourn and Commissioner Faust 2nd the motion. Motion passed 3-0.

Adjourned

MIAMI COUNTY BOARD OF COMMISSION

_____, **Chairman**
C. Craig Boyer

_____, **Vice Chairman**
H. Jon Faust

_____, **Member**
Joshua Francis

Attest: _____ **Auditor**
Jane Lilley